



DRAFT

Juvenile Justice 2022 Legislative Report Findings and Recommendations

CCJBH recognizes the monumental shift occurring in the juvenile justice system with the realignment of high risk/high need youth from the Division of Juvenile Justice to the county level of care under [SB 823](#). This shift necessitates a robust system of care that offers safety and protection for California citizens while providing care, treatment, and guidance to minors whose behaviors have led them to justice system involvement. State agencies and counties must come together more so now than ever to build local continuums of care that serve all levels of justice-involved youth, and implement innovative programs to provide the availability of treatment within / close to their communities.

Based on the [2021 Annual Legislative Report recommendations](#), CCJBH dedicated the 2022 Juvenile Justice Workgroup meetings to addressing the unique challenges faced by justice-involved youth with behavioral health needs and best practices to optimize their growth and development, primarily focusing on access and linkage to substance use disorder treatment and school-based opportunities to prevent or intervene in juvenile justice system involvement. Led by CCJBH Councilmembers with subject matter expertise in probation and education, Mack Jenkins and Danitza Pantoja, respectively, CCJBH held Juvenile Justice Workgroup meetings in February, May, and July of 2022. Findings and recommendations are listed below.

Juvenile Justice Workgroup Findings (will be inserted into the report Appendix)

1. According to the Centers for Disease Control and Prevention, the COVID-19 Public Health Emergency affected child and adolescent social, emotional and mental well-being due to isolation, change in routine, and loss of security and safety. The effects of the pandemic may have lasting consequences associated with the trauma experienced by youth.¹ The COVID-19 Public Health Emergency highlighted a lack of easily accessible community-based mental health services for young people and their families.
2. [AB 133](#) provides an opportunity to expand trauma screening through California Advancing and Innovating Medi-Cal (CalAIM) by expanding Specialty Mental Health Services eligibility to include children who have been exposed to trauma, which will help to identify and treat children with high levels of trauma and reduce the risk of potential substance use disorders, behavioral challenges, or justice-involvement as a result of the child's trauma. The ACE Questionnaire will be a helpful tool for Primary Care Providers in Medi-Cal Managed Care Plans to identify children who have experienced trauma, and refer them to Specialty Mental Health Services and Enhanced Care Management, if appropriate.

¹ [CDC Social, Emotional, and Mental Well-being of Adolescents during COVID-19](#).



3. DHCS' [CalAIM Justice-Involved Initiative's](#) pre-release application mandate to enroll justice-involved youth into Medi-Cal (if eligible), provide pre-release services to individuals meeting specified clinical criteria, and assign a care manager to engage with the youth and their family/caregiver if the Enhanced Care Management criteria are met.
4. Children and Youth Behavioral Health Initiative efforts to establish the School Behavioral Health Counselor and Behavioral Health Coach workforce, led by Department of Health Care Access and Information, would allow not only for expanded behavioral health service capacity, but it also offers employment opportunities to the BH/JI population, particularly to serve and/or employ transition aged youth.
5. Assembly Bill 2083 mandates [interagency collaboration](#) through the development of Memorandums of Understanding (MOUs) that outline the roles and responsibilities of agencies and other entities that serve children and youth in foster care who have experienced severe trauma. While many justice-involved youth "crossover" to the foster care system, not all do, leaving non-foster care justice-involved youth, including at-promise youth, without a strong foundation for multi-system service delivery.
6. The establishment of the Office of Youth and Community Restoration (OYCR) serves as an indicator of the State's dedication to facilitating the integration, cooperation, and collaboration between the delinquency and dependency systems. The Crossover Youth Practice Model² has been successfully implemented in counties to address the extensive trauma faced by crossover youth and engage the family unit in treatment.
7. A high level of collaboration is necessary for counties to quickly produce the Juvenile Justice Realignment Block Grant County Plans that meets the statutory requirements, and the Office of Youth and Community Restoration is an asset to provide assistance to the counties.
8. Cross-agency participation is imperative to ensure that current initiatives will benefit justice-involved youth with behavioral health needs, particularly in the development of new policies and programs. The Office of Youth and Community Restoration is participating in a Judicial Council Secure Youth Treatment Facility Offense-Based Classification Working Group to create a Title 15 commitment matrix to determine the appropriate commitment for a youth prior to their hearing with a judge, and is the director is also a member of the California Sex Offender Management Board, which has recently published [Guidelines for Treating and Supervising Youth Who Have Committed a Sexual Offense](#). The Office of Youth and Community Restoration is also interfacing with the Center for Data Insights and Innovation to leverage their information around adolescent behavioral health needs and other pertinent juvenile justice research.
9. Engaging with State partners who serve the shared population of justice-involved youth with behavioral health needs is essential to understand the work being done by various systems to assist in connecting youth to services that meet their individualized needs.

² [Crossover Youth Practice Model | Center for Juvenile Justice Reform | Georgetown University.](#)



10. Robust local and community partner and stakeholder engagement is necessary to ensure that the unique needs of communities and individuals with lived experience, including multiple youth perspectives, are heard and understood and that the necessary infrastructure to support them is in place.
11. Juvenile courts (e.g., juvenile mental health courts) play a key role in recidivism reduction for justice-involved youth and involvement from the court is critical for a successful multidisciplinary program with youth facing behavioral health issues.
12. Integrated and comprehensive county health and human services systems promote the collaboration between local probation and behavioral health departments, and co-location of probation and behavioral health treatment providers promotes such collaboration. It is important for behavioral health providers and probation to have open information sharing.
13. Existing evidence-based practices that have been found to be successful in addressing youth substance use disorder are Multisystemic Therapy (MST) and the 7 Challenges framework.
14. MST focuses on changing a youth's social ecology to empower positive change and diminish emotional and behavioral difficulties by first focusing on improving the family function, which will in turn reduce antisocial behavioral and improve functioning.
15. Based on the Multi-systemic Therapy Institute's [2018 MST Data Report](#), it was found that of 12,143 youth referred to MST who had a full course of treatment, 91 percent remained at home, 86 percent were either in school or working, and 87 percent were not re-arrested. MST is successful because it targets known causes of delinquency (e.g., family relations, peer relations, school performance, community factors); is family-driven and occurs in the youth's natural environment; develops positive interagency relations; holds the youth/family and the MST clinicians accountable; and requires continuous quality improvement at all levels.
16. Youth have been successfully engaged in services through motivational interviewing, the use of youth advocates with lived experience of mental illness or justice-involvement, collaboration with probation to facilitate warm handoffs, providing intensive wraparound services, and leveraging the authority of the court.
17. Effective incentives in substance use disorder treatment programs include getting off probation and assistance in securing a job and enrolling in college.
18. Peer mentorship and partnership with trusted community-based organizations are effective practices to engage youth in substance use disorder treatment programs.
19. A restorative justice approach focused on victim-offender mediation is an essential component in improving systems for youth and families, as the experience of crime victims is often forgotten. It is also important to identify the youth's assets and fully understand the context of the youth's situation at the time the crime was committed.
20. The COVID-19 pandemic created unprecedented challenges for students and school communities.³ Since the return to in-person instruction, schools have been provided with

³ [CDE Releases Student Data for 2020-21 - Year 2022 | CA Department of Education](#)



substantial resources to support the return to safe in-person instruction, learning recovery opportunities and expanded learning time. Schools can adapt to address these challenges through integrating new programs and implementing ways to better support the current academic, social, behavioral health, and other related needs of students. That said, at-risk and justice-involved youth may lack self-management and independent learning skills and resiliency when not succeeding in learning attempts, especially when their learning modality doesn't match many common independent study approaches. They may need highly available support and opportunities for project based, hands on, and non-written communication to demonstrate their growing academic proficiency. Additionally, they need a planned path to be able to succeed and collaborate in settings with others.

21. Early academic/social emotional challenges (e.g., chronic truancy, disengagement) are risk factors for youth to enter and stay deeply involved in the justice-system. Youth presenting with signs of early academic failure should be assessed and referred to services to prevent justice-involvement (schools are encouraged to conduct universal screening to identify warning signs for early intervention). CalSCHLS data also indicate where systemic issues are leading to greater youth involvement in juvenile justice. Identifying and responding to these challenges can reduce the need for later services - at less cost to the state.
22. The California Department of Education follows the Perkins V mandates to serve special populations,⁴ including:
 - individuals with disabilities;
 - individuals from economically disadvantaged families, including low-income youth and adults;
 - individuals preparing for nontraditional fields;
 - single parents, including single pregnant woman;
 - out-of-workforce individuals;
 - homeless individuals;
 - youth who are in, or have aged out of, the foster care system;
 - youth with a parent who is a member of the armed forces and is on active duty; and
 - individuals with other barriers to educational achievement (e.g., limited English proficiency)

While justice-involved youth often fall into some of these special population categories, such as foster care or individuals with disabilities, justice-involved youth should be explicitly named as a special population.

23. For youth involved in the justice system, the re-enrollment of probation youth from juvenile court schools to their previous school district is an important issue.⁵ Education Code EC §§ 48432.3, 48432.5, and 1981(b)(1) indicate that students cannot be transferred to alternative

⁴ [Special Populations - Perkins \(CA Department of Education\)](#)

⁵ See the Transition Planning findings and recommendations in the California Department of Education's [Juvenile Court Student Transition Statewide Work Group Report and Recommendations to the Legislature](#) for specific examples.



schools solely on the basis of their involvement in the justice system. Further, school districts are required to develop and consistently implement clear policies and procedures concerning a student's transfer to an alternative school settings to limit any potential disruptive movement of vulnerable student populations.⁶

24. California Education Code section 48647 strongly encourages collaboration between the county office of education and county probation department to create a joint transition planning policy for youth transferred from juvenile court schools to public schools in their communities.
25. Existing policy frameworks and initiatives to serve justice-involved youth in their education include:
 - a. AB 490, which outlines education records and enrollment rights.
 - b. AB 2276/1354 require the county office of education and probation department to work together to ensure that youth are enrolled in school upon release, and require an education plan for youth in detention for 20 school days or longer.
 - c. SB 716, which requires probation to provide access to online or in-person transfer-level community college courses.
26. Similar to the roles of foster care liaisons and homeless liaisons in school districts, juvenile justice liaisons assist with credit transferring, placements, and transitions. Education liaison programs facilitate local-level implementation and inform parents and youth of their rights. Examples of successful education liaison programs that could be used as a model for implementation of a juvenile justice liaison include: the National Center for Youth Law's JusticeEd program and the collaboration in Santa Clara County between the probation department and the school district to fund a social worker to act as an educational liaison.
27. Probation-supervised foster youth are eligible for the same benefits as foster youth who are supervised by child welfare, assuming that all other eligibility requirements are met. This includes Chafee Grants, independent study status, extended foster care, and Cooperating Agencies Foster Youth Educational Support/NextUp.
28. Different approaches may be necessary to engage at-risk youth. Because at-risk youth have not had contact with law enforcement, it can be more difficult to compel engagement in services due to the voluntary nature of the services (although school attendance review boards have authority to make referrals for services with some enforcement powers), whereas youth who have had contact with the justice system are mandated to participate in services due to the conditions of their parole or probation.

⁶ [Youth Law Center Education Rights and Responsibilities Toolkit](#).

29. When creating metrics around education for young people, it is important that young people and their families are involved in the conversation due to the stigma around juvenile justice involvement.

Juvenile Justice Policy Recommendations *(will be inserted into the body of the report)*

Using the findings from the Juvenile Justice Workgroup, and taking into account the current juvenile justice landscape in California, including recent significant investments in California's children/youth behavioral health, and considering past CCJBH Annual Legislative Reports, CCJBH recommends the following:

Targeted Efforts Should be Made to Ensure that At-Promise and Justice-Involved Youth Benefit from Recent State Investments in Children and Youth Behavioral Health

1. **State and local entities should coordinate to ensure that the unique and complex needs of at-promise *and* justice-involved youth, including those who are not part of the child welfare system, are considered and addressed when planning and implementing efforts using the recent behavioral health investments that have been made to meet the needs of the broader youth population in California.**⁷ This involves taking a trauma-informed approach;⁸ engaging youth with lived experience and their families/caregivers in design and implementation discussions that impact policy and program decisions; engaging criminal justice partners to establish referrals/linkages to care, as appropriate; and incorporating [Comprehensive Collaborative Case Planning](#) to ensure criminogenic risks and needs are comprehensively addressed. Special focus should be given to expanding the availability of and access to SUD treatment, and addressing longstanding barriers to accessing high-quality education, for justice-involved youth. Recent investments that could be leveraged include:
 - a. The [Children and Youth Behavioral Health Initiative \(CYBHI\)](#). In particular,
 - i. The Department of HealthCare Access and Information Earn & Learn Program, which will provide education and paid apprenticeship experience to Substance Use Disorder counselors. The Department of Health Care Access and Information could include appropriate curriculum, including topics on evidence-based corrections and the unique needs of the BH/JI population (e.g., Justice-Involved Services Training Academy). The Earn & Learn Program could be modeled after [California Social Work](#)

⁷ As specified in the [2021 Annual Legislative Report](#), the California Health and Human Services Agency (CalHHS) [AB 2083 Systems of Care Memorandum of Understanding](#) guidance, designed to address coordination for local entities that serve children and youth in foster care child, could be used as a model for the justice-involved youth population-serving agencies, including courts (and Judicial Council), to clearly establish how coordination will occur within each county. In addition, a standing meeting or other convening platform at the local level can help to further facilitate communication and collaboration. One example of successful outcomes produced as a result of an established local interagency MOU specifically targeting justice-involved youth is [The Harbor](#) program in Clark County, Nevada.

⁸ Although juvenile justice system involvement alone is sufficient criteria to allow for access to Specialty Mental Health Services (SMHS), CCJBH strongly urges that the [Pediatric ACEs and Related Life-Events Screener](#) (for children and adolescents through age 19) and the [ACE Questionnaire](#) (for adults beginning at age 18) is administered to youth exiting juvenile facilities as this information is critical to inform treatment planning decisions given their high risk for a mental health disorder due to experience of trauma. See DHCS [Behavioral Health Information Notice \(BHIN\) No: 21-073](#) for more information on the SMHS access criteria.



- [Education Center's \(CalSWEC\) Title IV-E Program](#), which provides financial support to students for careers in public child welfare.
- ii. Children and Youth Behavioral Health Initiative efforts being led by the Department of HealthCare Access and Information to establish the [Behavioral Health Coach](#) certification:
 - 1. The Department of HealthCare Access and Information could collaborate with CDCR's Division of Rehabilitative Programs to develop a prison to career pipeline that prepares individuals to apply for the Behavioral Health Coach certification and position upon release. Considerations should be made to connect the Department of Health Care Access and Information's efforts on the Justice and System-Involved Youth project to the Behavioral Health Coach project by offering supportive services to individuals in the BH/JI population who are interested in applying for certification (e.g., financial support throughout the duration of the program, assistance with the application). *Note: It is important that behavioral health coaches supplement, but not supplant licensed practitioners, and that among licensed practitioners, there is a need for school social workers, school psychologists, etc., to provide direct services and supervise coaches.*
 - 2. Although the Behavioral Health Coach certification does not have any limiting prerequisites for the justice-involved population, Department of HealthCare Access and Information could consider addressing common hiring barriers faced by the BH/JI population to mitigate potential hiring barriers to ensure that this population is able to secure Behavioral Health Coach positions, once certified.
 - 3. Behavioral Health Coaches could be considered for multisector application beyond health and behavioral health care (e.g., criminal justice, housing, social services), as well as expansion to the over 25 year-old population.
 - 4. Once the Behavioral Health Coach program framework has been published, CCJBH should promote the certification program and role of all system partners that serve the BH/JI population.
 - iii. [Children and Youth Behavioral Health Initiative efforts](#) being led by the Department of Health Care Services' (DHCS), including:
 - 1. [School-Linked Behavioral Health Services](#) (i.e., school-linked partnership infrastructure and capacity grants, behavioral health coaches) – ensuring that county probation departments and juvenile courts are aware of the infrastructure/capacity projects within the county and incorporated into any referral pathway processes, as appropriate, to maximize resources to support youth transitions from juvenile facilities to local education agencies.⁹

⁹ See Recommendation #8 for details on specific approaches to building out infrastructure that were discussed in CCJBH's Juvenile Justice Workgroup.



2. Evidence-Based Practices (EBPs) and Community-Defined Practices (CDP) – encouraging the use of established juvenile justice EBPs¹⁰ and targeting outreach to maximize community-based organization provider participation that traditionally serve the at-promise and justice system involved youth, but that may not traditionally be connected with the Medi-Cal or commercial behavioral health systems. Evidence-based approaches to treating adolescent substance use disorders¹¹ (e.g., cognitive behavioral therapy, Multisystemic therapy, peer support services) should be considered for implementation in county drug courts, county probation departments, county behavioral health departments, and county offices of education.¹² *Note: Five of the 31 [EBP/CDP Think Tank Members](#) possess juvenile justice expertise.*
3. Behavioral Health Virtual Services and E-Consult Platform – gather input directly from the at-promise and justice involved youth population, in addition to the general youth population that has already been engaged, on design and implementation of the platform, and strategically market the final product to the BH/JI population to ensure they are aware of its availability and benefits. *Note: 1 of the 28 [Behavioral Health Virtual Services Platform Think Tank Members](#) possess juvenile justice expertise.*
- b. DHCS’ [Student Behavioral Health Incentive Program](#) (SBHIP), which provides early identification and treatment through school-affiliated behavioral health services – ensuring that county probation departments and juvenile courts are aware of the SBHIP locations within the county in order to maximize referral pathways to resources that may support youth transitions from juvenile facilities to local education agencies.
- c. The Mental Health Services Oversight and Accountability Commission’s [Mental Health Student Services Act](#) (MHSSA) grants for partnership between county mental health agencies and local education agencies to deliver school-based mental health services to young people and their families could be leveraged to ensure that all counties consider the unique needs of the at-promise and justice-involved youth populations.¹³ Additionally, the Mental Health Student Services Act Data Workgroup could consider

¹⁰ See the Office of Juvenile Justice and Delinquency Prevention Evidence-Based Programs [website](#). Examples of small, medium and large counties implementing juvenile justice EBPs based on cross-county collaborations may be found on CCJBH’s [website](#). Also, as specified in the [2021 Annual Legislative Report](#), CCJBH strongly urges establishment / expansion of programs based on the Positive Youth Justice Model, Juvenile Wraparound Model, and the Crossover Youth Practice Model.

¹¹ [Evidence-Based Approaches to Treating Adolescent Substance Use Disorders | National Institute on Drug Abuse \(NIDA\) \(nih.gov\)](#).

¹² See [CCJBH’s May Juvenile Justice Workgroup Minutes](#) for a summary of effective treatment programs in three California counties that could be modeled as best practices when implementing evidence-based approaches for treating SUD.

¹³ The MHSOAC [Mental Health Student Services Act Grant Summaries](#) report produced in January 2022 identified six counties that explicitly mentioned the at-promise or justice-involve youth population in their programs.



- adding an identifier for justice-involved youth to the aggregate data required to be reported by each participating county.¹⁴
- d. Given their unique and complex needs, DHCS could consider dedicating sufficient CalAIM Advisory Group meeting time to developing policies and processes specific to youth transitioning from incarceration who are included in CalAIM Children/Youth Population of Focus to include county probation and juvenile courts, among other relevant stakeholders.
 - e. The [AB 2083 Memorandum of Understanding](#) process could be applied to foster care youth (which include a subset of those who are justice involved) to also apply to at-promise youth and justice-involved youth who are not part of the child welfare system because close interagency collaboration is equally important for both groups.
2. **State entities that are responsible for programs that serve the at-promise and juvenile justice populations as a subset of the larger population they serve should coordinate with the CalHHS Office of Youth and Community Restoration (OYCR), Board of State and Community Corrections, local probation (Chief Probation Officers of California and individual County Probation Offices) and juvenile courts to leverage their expertise and stakeholder networks.**
 3. **The Search Institutes' [Developmental Assets Framework](#) could be leveraged by state partners as a resource to consider in the development of new youth-focused initiatives, particularly to promote upstream prevention, by examining the 40 positive supports and strengths that increase young people's academic success and decrease engagement in [high-risk behaviors](#).**

Optimizing Educational Success for At-Promise and Justice-Involved Youth

In addition to the recommendations regarding educational success that were documented in CCJBH's [2021 Annual Legislative Report](#), the following specific considerations for improvement should also be addressed as part of the recent State investments in school-based children and youth behavioral health and/or through other sources that fund (or may be used to fund) additional/existing programs that support at-promise or justice-involved youth in school-based community and juvenile justice settings:

4. **To effectively change educational culture, individuals working with justice-involved youth should participate in training(s) designed to adjust the currently accepted mental model and transition to a model that identifies adolescent behavior as normal and responds appropriately to each the expected behavior rather than default to unfair zero tolerance policies.**

¹⁴ Currently, data are collected on foster youth, suspension, expulsion, disabilities, and receipt of special education services, as specified in the [MHSSA Data Collection Guide May 2022](#).



5. **Within the California Multi-Tiered System of Support (MTSS) framework, school staff across varying districts in California could consider using coordinated screening tools/processes** (e.g., Student Risk Screening Scale, Early Warning System) **to identify signs of early academic/social emotional challenges** (e.g., chronic truancy, disengagement discipline, suspension, expulsion) **and promote early assessment and intervention to prevent justice-involvement** using the SAMHSA toolkit, [Ready, Set, Go, Review: Screening for Behavioral Health Risk in Schools](#), and other relevant resources as a guide.

6. **For youth who are incarcerated in juvenile facilities, best practices^{15,16} that build on existing laws should be employed to facilitate re-enrollment back into their school district, productively and meaningfully engaging students and their families/caregivers in their education.** Currently, only about one-third of youth return to school after release from secure custody.¹⁷ Examples specifically discussed in the Juvenile Justice Workgroup include, but are not limited to, the following:

- Justice-involved youth and their families could be provided with an interdisciplinary team (e.g., concierge service), including a liaison between the local education agency (school district) and county probation department, as well as informational materials on available community resources, to support service access and coordination upon the transition from the juvenile court school to their home school district. Juvenile justice liaisons can assist students in addressing a number of common barriers youth face when transitioning from court school to their home school district, including credit transferring/recovery, placement, coordination of services, and education of youth's rights. For example, [Santa Clara County's Educational Rights Project](#) trains social workers and probation officers to identify and advocate for children who need special education services through a partnership with the Office of the County Counsel, Probation Department and Department of Family and Children Services.

"It is important to allow young people to make mistakes and eliminate the idea that making a mistake is a privilege."

- ShaKenya Edison, M.Ed., PPS, K-12 Administrator, Consultant, Edison Educational Consulting. Presentation to the CCJBH Juvenile Justice Workgroup, July 15, 2022.

¹⁵ Resources for best practices in juvenile court school to community court school transition include, but are not limited to, the CDE's [Juvenile Court Transition Legislative Report](#) (dated January 2016; last reviewed in November 2021), the [Alliance for Children's Rights Best Practices Guide for Developing a District System to Improve Education Outcomes for Youth in Foster Care](#) (September 2021; addresses youth served by County Probation), [Research-Based Practices for Reintegrating Students With Emotional and Behavioral Disorders From the Juvenile Justice System](#) (September 2017), the Youth Law Center's [Education Rights and Responsibilities Toolkit for Juvenile Justice System Involved Youth](#) (November 2019), U.S Department of Education [Every Student Succeeds Act High School Graduation Rate Non-Regulatory Guidance](#) (January 2017), and the Coalition for Juvenile Justice [Reauthorization of the Juvenile Justice and Delinquency Prevention Act](#). [Reauthorization of the Juvenile Justice and Delinquency Prevention Act](#).

¹⁶ See the CDE website for more information about [Juvenile Court Schools](#).

¹⁷ [Key Issues: Re-entry - Juvenile Justice Information Exchange](#).



- Engagement strategies, such as motivational interviewing, peer mentoring and building relationships with the family, volunteer groups, or trusted community-based organizations, should be leveraged to encourage at-risk and justice-involved youth and their families to participate in available services. Furthermore, the career technical education context that integrates regular subject matter content (e.g., reading, writing, math, social studies) can be powerful for engaging youth who learn best in hands on learning situations, including project-based assignments that call for learning to work as a team member.
 - To meaningfully engage students in their education, school districts could consider bringing enrichment and extracurricular activities to the schools during lunch to eliminate barriers and encourage prosocial activities. Considerations should be made to implement this strategy in the current children and youth investments outlined in Recommendation #1 above.
 - State-level entities (e.g. OYCR, DHCS, and MHSOAC) could consider partnering with the California Department of Education, and the California Community Colleges Chancellor's Office, to leverage current opportunities to strengthen school district connections to Community College programs by developing or expanding dual enrollment programs to afford youth an opportunity to graduate with a certificate in a trade and attain college credits. Such a program could support learning recovery to mitigate the effects of the pandemic, could help create a college going culture for students, and provide students with more opportunity to have attained postsecondary education units upon graduation. The 2022 Budget Act provided \$200 million one-time Proposition 98 General Fund, available over a 5-year period, to strengthen and expand student access and participation in dual enrollment opportunities.
7. **Statutory changes could be considered to promote an aligned response in behaviors that reduces discrepancies in subjective judgement and facilitates a system that supports young people and responds appropriately to adolescent behaviors.** For example, use of Education Code 48900¹⁸ (use of force or violence) and Penal Code 415 (fighting) are used subjectively, which can lead to appropriate, less punitive consequences for some students and possible incarceration for others, respectively. Such modifications could decrease the need for justice system involvement for students.

¹⁸ See [Education Code 48900 \(v\)](#) for the authority of the school to determine appropriate consequences and [Education Code 48900.5](#) for a list of alternative corrective actions.



8. The California Department of Education could provide guidance and/or technical assistance to inform system partners that justice-involved youth are included under the Perkins V special population of "individuals with other barriers to educational achievement" and therefore could be served using California's grant funding¹⁹ from the [U.S. Department of Education's Strengthening Career and Technical Education for the 21st Century Act \(Perkins V\)](#) mandate, which was established to improve career-technical education programs, integrate academic and career-technical instruction, serve special populations, and meet gender equity needs. The [Workforce Readiness Excerpts from the 2020 Perkins State Plan](#) specifically outline how at-promise and justice-involved students can benefit from the grant funding.
9. County Probation Departments could consider establishing partnerships with legal service organizations experienced with educational advocacy to ensure a timely and smooth transition to the youth's home school district following release from an institutional setting.
10. The California Education Code 48647 could be amended to outline the explicit steps required for a comprehensive school reentry plan. The [Virginia Administrative Code 8VAC20-660-30](#) is a model that has proven to be successful.

Additional Recommendations for Serving At-Promise and Justice-Involved Children and Youth

11. When implementing efforts to improve systems for youth and families, California agencies that serve at-promise and justice-involved youth should, where feasible, incorporate a restorative justice approach that includes victim-offender mediation.
12. Effective data sharing is necessary for cross-system collaboration and should be facilitated through MOUs or data sharing agreements.²⁰
13. Data on justice-involved youth who are not involved in the child welfare system could be reported to the California Department of Education's data repository, [DataQuest](#), and the Population Reference Bureau's data repository, [KidsData](#).

¹⁹ California's FY 2020-23 Federal Perkins State Plan may be found on the California Department of Education [website](#).

²⁰ Multidisciplinary teams should leverage available resources, such as [California's Health and Human Services Data Exchange Framework](#) and the Council of State Governments (CSG) Justice Center's [Information Sharing in Criminal Justice-Mental Health Collaboration: Working with HIPPA and Other Privacy Laws](#), to facilitate information sharing at the necessary level to support youth.